

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES:	7
NO:	5

MR. SPEAKER:

*Your Committee on Environmental Affairs, to which was referred House Bill 1381, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning waste
- 3 tires.
- 4 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 5 "SECTION 1. IC 4-23-5.5-1 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. As used in this
- 7 chapter:
- 8 (1) "board" means the Indiana recycling and energy development
- 9 board created by this chapter;
- 10 (2) "department" means the department of commerce; ~~and~~
- 11 (3) "director" refers to the director of the office of energy policy
- 12 of the department; **and**
- 13 (4) "waste tire" means:
- 14 (A) a whole tire that:
- 15 (i) is not suitable for the tire's original purpose; and

- 1 (ii) has a volume of not more than four (4) cubic feet; or
- 2 **(B) one (1) or more tires that:**
- 3 (i) have been shredded, ground, or otherwise altered;
- 4 and
- 5 (ii) have a combined weight of not more than twenty-five
- 6 (25) pounds or total volume of not more than one and
- 7 one-quarter (1.25) cubic feet.

8 SECTION 2. IC 4-23-5.5-17 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2005]: **Sec. 17. (a) The waste tire assistance**
 11 **fund is established. The purpose of the fund is to promote and**
 12 **assist waste tire collection, reuse, and recycling throughout**
 13 **Indiana. The fund shall be administered by the board.**

14 **(b) Sources of money for the fund consist of the following:**

- 15 (1) Fees collected under IC 9-21-1-4.5.
- 16 (2) Repayment proceeds of loans made from the fund.
- 17 (3) Gifts and donations.

18 **(c) Money remaining in the fund at the end of a state fiscal year**
 19 **does not revert to the state general fund.**

20 **(d) The board shall use money in the fund to do the following:**

- 21 (1) Make forgivable loans to assist persons that derive a
- 22 beneficial use from waste tires. When the board makes a loan
- 23 to a person under this subdivision, the loan must require the
- 24 board to subtract fifteen cents (\$0.15) from the amount of the
- 25 loan for each waste tire used by the person. The board shall
- 26 establish loan:

- 27 (A) amounts;
- 28 (B) terms; and
- 29 (C) interest rates.

30 **(2) Reimburse solid waste management districts established**
 31 **under IC 13-21-3-1 that conduct waste tire collection days.**
 32 **The board shall establish criteria for reimbursing solid waste**
 33 **management districts under this subdivision.**

34 **(3) Provide incentive payments and reimbursements for waste**
 35 **tire processors and waste tire end users that use waste tires**
 36 **for a beneficial purpose. The board shall establish criteria for**
 37 **paying or reimbursing persons under this subdivision.**
 38 **Payments and reimbursements may under this subdivision**

1 **may not:**

2 **(A) exceed twenty dollars (\$20) per ton of waste tires used**
 3 **by a waste tire processor or waste tire end user; and**

4 **(B) be made to a person for:**

5 **(i) disposing of waste tires at a landfill; or**

6 **(ii) using waste tires as a daily cover for a landfill.**

7 **(e) A:**

8 **(1) person that wants a loan from the fund under subsection**

9 **(d)(1);**

10 **(2) solid waste management district that wants to be**
 11 **reimbursed from the fund under subsection (d)(2); or**

12 **(3) person that wants an incentive payment or reimbursement**
 13 **from the fund under subsection (d)(3);**

14 **must file an application with the board on a form prescribed by the**
 15 **board.**

16 SECTION 3. IC 9-29-1-1 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. Except as provided
 18 in sections 2, ~~through 3, 4, and 4.5~~ of this chapter, all money collected
 19 by the bureau under IC 9-14-5, IC 9-18-2, IC 9-18-5, IC 9-18-6,
 20 IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-11, IC 9-18-16, IC 9-24-3,
 21 IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10, IC 9-24-11,
 22 IC 9-24-12, IC 9-24-13, and IC 9-24-14 shall be deposited daily with
 23 the treasurer of state and credited to the motor vehicle highway account
 24 established under IC 8-14-1.

25 SECTION 4. IC 9-29-1-4.5 IS ADDED TO THE INDIANA CODE
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2005]: Sec. 4.5. **(a) A waste tire fee of one dollar (\$1) is**
 28 **imposed. The waste tire fee shall be collected in addition to all**
 29 **registration fees collected under IC 9-18.**

30 **(b) Money collected under subsection (a) shall be deposited as**
 31 **follows:**

32 **(1) Eighty percent (80%) shall be deposited in the waste tire**
 33 **assistance fund established by IC 4-23-5.5-17.**

34 **(2) Twenty percent (20%) shall be deposited in the waste tire**
 35 **management fund established by IC 13-20-13-8(a).**

36 SECTION 5. IC 13-11-2-231 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 231. ~~(a)~~ "Tire", for
 38 purposes of:

1 (1) IC 13-20-13, except as provided in subsection (b); and

2 (2) IC 13-20-14;

3 means a continuous solid or pneumatic rubber covering that is designed
4 to encircle a wheel of a motor vehicle (as defined in IC 9-13-2-105(a)).

5 ~~(b) "Tire", for purposes of IC 13-20-13-7, means a continuous solid~~
6 ~~or pneumatic rubber covering that is designed to encircle a wheel of a~~
7 ~~vehicle.~~

8 SECTION 6. IC 13-11-2-245 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 245. (a) "Vehicle", for
10 purposes of IC 13-17-5, refers to a vehicle required to be registered
11 with the bureau of motor vehicles and required to have brakes. The
12 term does not include the following:

13 (1) Farm tractors.

14 (2) Implements of husbandry.

15 (3) Farm tractors used in transportation.

16 (4) Mobile homes (house trailers).

17 (5) Trailers weighing not more than three thousand (3,000)
18 pounds.

19 (6) Antique motor vehicles.

20 (b) "Vehicle", for purposes of IC 13-18-12, means a device used to
21 transport a tank.

22 (c) "Vehicle", for purposes of IC 13-20-4, refers to a municipal
23 waste collection and transportation vehicle.

24 ~~(d) "Vehicle", for purposes of IC 13-20-13-7, means a motor vehicle~~
25 ~~and types of equipment, machinery, implements, or other devices used~~
26 ~~in transportation, manufacturing, agriculture, construction, or mining.~~
27 ~~The term does not include the following:~~

28 ~~(1) A lawn and garden tractor that is propelled by a motor of not~~
29 ~~more than twenty (20) horsepower.~~

30 ~~(2) A semitrailer.~~

31 ~~(c) (d)~~ (d) "Vehicle", for purposes of IC 13-20-14, has the meaning set
32 forth in IC 9-13-2-196."

33 Page 2, delete lines 1 through 9.

34 Page 2, line 38, strike "section 7 of this chapter."

35 Page 2, line 41, after "projects." insert "IC 9-21-1-4.5."

36 Page 3, after line 18, begin a new paragraph and insert:

37 "SECTION 8. IC 13-20-13-7 IS REPEALED [EFFECTIVE JULY
38 1, 2005]."

- 1 Renumber all SECTIONS consecutively.
 (Reference is to HB 1381 as introduced.)

and when so amended that said bill do pass.

Representative Wolkins